



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, MARCH 26, 2015**

Invocation: A Moment of Silence

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 26, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Pro Tem Tovo called the Council Meeting to order at 12:10 p.m.

CITIZEN COMMUNICATIONS: GENERAL

William McKinney - Dog walking at Austin Animal Center

Jacque Benestante - Adding ABA benefits for individuals with Autism to COA Health Plan

Walter Olenick - Water fluoridation

Angelica Noyola - Cesar Chavez

Carlos León - 1) God, Jesus Christ & The Holy Spirit get the glory 2) Chemtrails- ¡No Más! 3) Lose your marbles- Part IV

Linda Greene - The myth of fluoride as a medicine vs. a hazardous waste.

Gavino Fernandez, Jr. - A request for a comprehensive plan for Cesar Chavez St.

CAROLANNROSEKENNEDY - COWBOYS AND INDIANS

Paul Aviña - El Garrote

Rae Nadler-Olenick - Water fluoridation

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of March 6, 2015, work session of March 10, 2015 and regular meeting of March 12, 2015.

The minutes from the City Council special called meeting of March 6, 2015, work session of March 10, 2015 and regular meeting of March 12, 2015 were approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

2. Authorize award and execution of a construction contract with RESTEK, INC. for the Ullrich Water Treatment Plant Concrete Rehabilitation Project in the amount of \$424,195 plus \$42,419 contingency, for a total contract amount not to exceed \$466,614.

The motion authorizing the award and execution of a construction contract with Restek, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

3. Authorize negotiation and execution of a professional services agreement with the following 15 staff recommended firms or (qualified responders) to Request for Qualifications Solicitation No. CLMP171: MWM DESIGN GROUP; HALFF ASSOCIATES, INC.; MCGRAY & MCGRAY LAND SURVEYORS, INC.; MACIAS & ASSOCIATES, LP; SURVEYING AND MAPPING, LLC; JACOBS ENGINEERING GROUP, INC.; LANDMARK SURVEYING, LP; JONES & CARTER, INC. dba TERRA FIRMA LAND SURVEYING; MCKIM & CREED INC.; LANDESIGN SERVICES, INC.; PAPE-DAWSON ENGINEERS, INC.; UNINTECH CONSULTING ENGINEERS INC.; COBB FENDLEY & ASSOCIATES, INC.; GORONDONA & ASSOCIATES, INC.; and HEJL, LEE & ASSOCIATES, INC. to provide surveying services for the 2015 surveying services rotation list for an estimated period of two years or until financial authorization is expended, for a total contract amount not to exceed \$3,000,000 divided amongst the 15 firms.

The motion authorizing the negotiation and execution of a professional services agreement with MWM Design Group; Halff Associates, Inc.; McGray & McGray Land Surveyors, Inc.; Macias & Associates, LP; Surveying and Mapping, LLC; Jacobs Engineering Group, Inc.; Landmark Surveying, LP; Jones & Carter, Inc. doing business as Terra Firma Land Surveying; McKim & Creed Inc.; Landesign Services, Inc.; Pape-Dawson Engineers, Inc.; Unintech Consulting Engineers Inc.; Cobb Fendley & Associates, Inc.; Gorondona & Associates, Inc.; and Hejl, Lee & Associates, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

4. Authorize the use of the construction manager-at-risk method of contracting for construction of the new Parking Garage with Administration Offices Project at the Austin-Bergstrom International Airport. March 25, 2015: Unanimously recommended by the Audit and Finance Committee

The motion authorizing the use of the construction manager-at-risk method of contracting was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

5. Approve an ordinance amending City Code Title 9 relating to audible noises and music and solicitation. **This item was withdrawn on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.**

6. Approve a resolution authorizing the City to be a co-applicant with the Film Society of Austin on an application for grant funding in an amount not to exceed \$1,008,000 from the U.S. Department of Commerce, Economic Development Administration to create a creative media facility on City-owned property leased to the Society.

Resolution No. 20150326-006 was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Items 7 and 8 were pulled for discussion.

Item 9 was pulled to be heard after the Law presentation

Items 10 through 13 were pulled for discussion.

Item 14 was pulled to be heard after the staff presentation,

Action was taken on item 15 but was reconsidered later in the meeting. See below.

- 16. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) for the relocation of water, wastewater and reclaimed water lines within the TXDOT State Highway 71 Toll Road Project from east of US 183 to Onion Creek, in the amount of \$5,200,000, plus a \$520,000 contingency, for a total contract amount not to exceed \$5,720,000.

The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Transportation (TXDOT) was approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

- 17. Authorize award and execution of a 12-month contract with CONVERGINT TECHNOLOGIES, LLC to provide maintenance and technical support for the security system at the Austin-Bergstrom International Airport in an amount not to exceed \$191,840, with four 12-month extension options in an amount not to exceed \$197,260 for the first extension option, \$197,860 for the second extension option, \$198,460 for the third extension option, and \$199,060 for the fourth extension option, for a total contract amount not to exceed \$984,480. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a contract with Convergent Technologies, LLC was approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Item 18 was pulled for discussion.

- 19. Authorize award and execution of a 36-month contract with WACHS WATER SERVICES to provide leak detection survey services in an amount not to exceed \$304,830, with three 12-month extension options in an amount not to exceed \$101,610 per extension option, for a total contract amount not to exceed \$609,660. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)

The motion authorizing the award and execution of a contract with Wachs Water Services was approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

- 20. Authorize award and execution of a 36-month contract with ALLIED TUBE & CONDUIT CORPORATION to provide traffic sign hardware in an amount not to exceed \$420,000, with three 12-month extension options in an amount not to exceed \$140,000 per extension option, for a total contract amount not to exceed \$840,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a contract with Allied Tube & Conduit Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

21. Authorize award and execution of a contract with OSBURN MATERIALS, INC. to provide grass seed mix for the Jimmy Clay Golf Course in an amount not to exceed \$400,265. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of a contract with Osburn Materials, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Item 22 was pulled for discussion.

23. Authorize award and execution of two 36-month contracts with VIDTRONIX TICKET & LABEL LLC and OMNIDATA SERVICES GROUP LLC for the purchase of as-needed replacement parts for the shared-use passenger processing system at the Austin-Bergstrom International Airport in an amount not to exceed \$450,000 each and combined, with two 12-month extension options in an amount not to exceed \$150,000 each and combined per extension option, for a total contract amount not to exceed \$750,000 each and combined. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

The motion authorizing the award and execution of two contracts with Vidtronix Ticket & Label LLC and Omnidata Services Group LLC was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

24. Authorize award and execution of a 36-month contract with TEXAS ELECTRIC COOPERATIVES to provide pressure treated wood poles for Austin Energy in an amount not to exceed \$3,767,343 with three 12-month extension options in an amount not to exceed \$1,255,781 per extension option, for a total contract amount not to exceed \$7,534,686.

The motion authorizing the award and execution of a contract with Texas Electric Cooperatives was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.

25. Authorize award and execution of a 60-month revenue contract with LONE STAR RIVERBOAT, INC. to provide boat excursion services on Lady Bird Lake for an estimated revenue amount of \$150,000, with one 60-month extension option in an estimated amount of \$150,000 for a total estimated revenue amount of \$300,000.

This item was postponed on consent to April 2, 2015 on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Items 26 and 27 were pulled for discussion.

28. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service Company and requesting reimbursement for expenses necessary to review the rate adjustment.

Ordinance No. 20150326-028 was approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

- 29. Authorize the negotiation and execution of a community facilities agreement with Austin Eastside Station, LLC, for public storm drain infrastructure improvements to be constructed as part of a development located at 1700 East 4th Street in an amount not to exceed \$350,000.

The motion authorizing the negotiation and execution of a community facilities agreement with Austin Eastside Station, LLC was approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

- 30. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.

The following appointments were approved on consent on Council Member Zimmerman’s motion, Council Member Casar’s second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Nominations

Board/Nominee

Nominated by

Hispanic/Latino Quality of Life

Resource Advisory Commission (temporary appointment)

Isabel Rios

Mayor Adler

Community Development Commission (temporary appointment)

James Valdez

Mayor Adler

Sustainable Food Policy Board (temporary appointment)

Adrienne Haschke

Mayor Adler

MBE/WBE & Small Business Enterprise

Procurement Committee (temporary appointment)

Eliza May

Mayor Adler

Early Childhood Council

Roscoe Overton, Sr.

Council Member Houston

Austin Community Technology & Telecommunications Commission

Pinaki Ghosh

Council Member Houston

Community Development Commission

Gilbert Rivera

Council Member Houston

African American Resource Advisory Commission

Daryl Horton

Council Member Houston

Library Commission

Valeri Bogucka

Council Member Houston

Library Commission

REGULAR COUNCIL MINUTES

THURSDAY, MARCH 26, 2015

Chad Williams

Council Member Pool

Parks & Recreation Board

Jane Rivera

Council Member Houston

Parks & Recreation Board

Ruthie Redmond

Council Member Pool

Electric Utility Commission

Carol Biedrzycki

Council Member Pool

Commission for Women

Flannery Bope

Council Member Pool

Environmental Commission

Peggy Maceo

Council Member Pool

Commission on Veterans Affairs

Pete Salazar

Council Member Pool

Public Safety Commission

Rebecca Webber

Council Member Pool

Mayor's Committee for People with Disabilities

Tanya Winters

Council Member Pool

Water & Wastewater Commission

Annie Kellough

Council Member Pool

Animal Advisory Commission

Craig Nazor

Council Member Pool

Animal Advisory Commission

David Lundstedt

Council Member Garza

Electric Board

John Lambert

Council Member Zimmerman

Parkland Events Task Force

Patrick Brewer

Council Member Pool

Parkland Events Task Force

Ingrid Weigand

Mayor Pro Tem Tovo

Task Force on Community Engagement

Darlene Watkins

Mayor Pro Tem Tovo

Task Force on Community Engagement

Sara Torres

Council Member Garza

Task Force on Community Engagement

Christopher Ledesma

Council Member Casar

31. Authorize payment of certain costs under City Code Chapter 14-8 for the annual Cesar E. Chavez "Si Se Puede!" March sponsored by the People Organized in Defense of Earth and her Resources which is to be held Saturday, March 28, 2015. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria)
The motion authorizing the payment of certain costs for the annual Cesar E. Chavez "Si Se Puede!" March was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.
32. Approve an ordinance waiving or reimbursing certain fees for the Children's Picnic and Real Food Fair sponsored by Edible Austin, which is to be held on Sunday, March 29, 2015 on the grounds of the French Legation Museum. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)
Ordinance No. 20150326-032 was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.
33. Approve a resolution expressing Council's support for proposed state legislation to reduce toll rates for certain vehicles traveling on State Highway 130. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Leslie Pool CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Mayor Steve Adler)
Resolution No. 20150326-033 was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Item 34 was pulled for discussion.

35. Approve an ordinance waiving or reimbursing certain fees for the Shakespeare in the Park performances sponsored by Something for Nothing Theater, which are to be held on June 11-13, June 18-20, and June 25-27, 2015 at Ramsey Neighborhood Park. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Mayor Steve Adler)
Ordinance No. 20150326-035 was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.
36. Approve an ordinance waiving or reimbursing certain fees and and waiving certain requirements for the HONK!TX event, which is to be held March 27-29, 2015 at the Adams-Hemphill and Pan Am Parks. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Mayor Steve Adler)
Ordinance No. 20150326-036 was approved on consent on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.
37. Set a public hearing to consider an ordinance amending City Code Title 2 and Title 25 to dissolve the Residential Design and Compatibility Commission. (Suggested date and time: April 23, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for April 23, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Casar's second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

- 38. Set a public hearing to consider an ordinance amending City Code Title 25 to add notification and meeting requirements to the East Riverside Corridor Regulating Plan amendment process. (Suggested date and time: April 23, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for April 23, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman’s motion, Council Member Casar’s second on an 8-0 vote. Mayor Adler and Council Members Gallo and Renteria were off the dais.

Items 39 through 42 were eminent domain items.

Items 43 through 45 were Executive Session items.

Items 46 through 51 were zoning items set for 2:00 p.m.

DISCUSSION ITEMS

- 8. Approve an ordinance authorizing acceptance of \$217,500 in grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES; and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) for the Lactation Resource and Training Center (Mom's Place) Strategic Expansion Program.
Ordinance No. 20150326-008 was approved on Council Member Casar’s motion, Council Member Houston’s second on a 7-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo and Renteria were off the dais.
- 9. Approve a settlement in Sanchez et al v. City of Austin, Cause No. A-11-CV-993-LY, in the United States District Court for the Western District of Texas.
The motion to settle the above referenced lawsuit, by the City paying the plaintiffs attorneys’ fees, costs and expenses of \$192,485 was approved on Council Member Garza’s motion, Council Member Pool’s second, on a 6-0 vote. Council Member Zimmerman abstained. Mayor Adler and Council Members Gallo, Renteria and Troxclair were off the dais. In exchange for this payment, the plaintiffs will dismiss their lawsuit against the city with prejudice and release the city from any claims that have been or could be asserted against the city.

Items 11 and 12 were acted on in a combined motion.

- 11. Approve an ordinance vacating approximately 4,646 square feet of an unnamed street located between South 1st Street and South 2nd Street (adjacent to 900 South 1st Street); approximately 5,996 square feet of South 2nd Street; and approximately 2,184 square feet of an alley north of Copeland Street, between South 1st Street and South 2nd Street, to 1ST STREET HIGHLANDS, LP, for the appraised value of \$137,838, subject to retaining public utility easements, a waterline easement, relocation of utilities at the developer's expense, and concurrent dedication by plat of new right-of-way. Related to Item #12.
There was a motion made by Council Member Pool and seconded by Council Member Renteria to send to Council committee.

There was an amendment made by Council Member Casar and seconded by Council Member Troxclair to postpone this item to April 16, 2015. The amendment was later withdrawn by the maker.

There was a substitute motion made by Council Member Pool and seconded by Council Member Renteria to refer to Council committee and return back to Council the first meeting in May. The motion passed on a vote of 9-0. Mayor Pro Tem Tovo and Council Member Troxclair recused themselves.

12. Approve an ordinance vacating approximately 8,200 square feet of the unconstructed Christopher Street right-of-way (adjacent to 1000 South 2nd Street) to 1ST STREET HIGHLANDS, LP, for the appraised value of \$35,274, subject to retaining public utility easements, a waterline easement, relocation of utilities at the developer's expense, and concurrent dedication by plat of new right-of-way. Related to Item #11.
There was a motion made by Council Member Pool and seconded by Council Member Renteria to send to Council committee.

There was an amendment made by Council Member Casar and seconded by Council Member Troxclair to postpone this item to April 16, 2015. The amendment was later withdrawn by the maker.

There was a substitute motion made by Council Member Pool and seconded by Council Member Renteria to refer to committee and return back to Council the first meeting in May. The motion passed on a vote of 9-0. Mayor Pro Tem Tovo and Council Member Troxclair recused themselves.

7. Approve an ordinance establishing classifications and positions in the classified service of the Austin Fire Department; creating and eliminating certain positions and repealing Ordinance No. 20140908-004 relating to the Austin Fire Department classifications and positions.
There was a motion made by Council Member Zimmerman and seconded by Council Member Troxclair to refer to Council committee.

There was an amendment made by Council Member Casar and seconded by Council Member Pool to postpone this item to April 2, 2014. The amendment passed on a vote of 11-0.

10. Authorize negotiation and execution of an 84-month lease renewal agreement with PAJA PROPERTIES, LTD. for 7,675 square feet of retail, office and storage space for the Book Sales Program of the Austin Public Library, located at 5335 Burnet Road, in an amount not to exceed \$1,151,643.
There was a motion made by Council Member Zimmerman and seconded by Council Member Gallo to refer to Council committee. The motion failed on a vote of 4-6. Those voting aye were: Council Members Gallo, Garza, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Houston, Pool, and Renteria. Council Member Kitchen was off the dais.

There was a motion made by Council Member Pool and seconded by Council Member Houston to authorize the negotiation and execution of the lease renewal agreement with Paja Properties Ltd. Direction was given to staff to bring this program to Council committee for review, to review the lease in a year and to consider other location options.

There was an amendment made by Council Member Zimmerman and seconded by Council Member Houston to amend the previous motion by approving the lease for one year. The amendment failed on a vote of 5-5. Those voting aye were: Council Members Gallo, Garza, Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Pool, and Renteria. Council Member Kitchen was off the dais.

The motion to authorize the negotiation and execution of a lease renewal agreement with Paja Properties, Ltd was approved on Council Member Pool's Motion, Council Member Houston's second on a 6-4 vote. Direction was given to staff to bring this program to Council committee for review, to review the lease in a year and to consider other location options. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Pool and Renteria. Those voting nay were: Council Members Gallo, Houston, Troxclair and Zimmerman. Council Member Kitchen was off the dais.

13. Authorize negotiation and execution of an encroachment agreement with SHOAL CREEK WALK, LTD. for the aerial encroachment of the Bowie Street right-of-way by a pedestrian bridge, located between West 5th Street and West 6th Street.
The motion authorizing the negotiation and execution of an encroachment agreement with Shoal Creek Walk, Ltd. was approved on Council Member Renteria's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Kitchen was off the dais.
14. Approve a resolution concerning naming the Onion Creek Greenbelt, located at 7004 Onion Creek Drive.
There was a motion made by Council Member Zimmerman and seconded by Council Member Renteria to table this item indefinitely. The motion passed on a vote of 10-0. Council Member Kitchen was off the dais.
15. Approve an ordinance extending the expiration date of Ordinance No. 20141120-056 relating to requirements for non-peak hour concrete installation within portions of the Central Business District (CBD) and Public (P) zoning districts.
Ordinance No. 20150326-015 was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.

A motion to reconsider item 15 and approve Ordinance No. 20150326-015 on emergency passage was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 11-0 vote.
18. Authorize award and execution of a 24-month contract with UCS FACILITY SERVICES to provide maintenance and custodial services for Austin Water Utility in an amount not to exceed \$1,245,648, with two 12-month extension options in an amount not to exceed \$622,824 per extension option, for a total contract amount not to exceed \$2,491,296. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no goals were established for this solicitation.)
This item was postponed to April 23, 2015 on Council Member Casar's motion, Council Member Renteria's second on a 10-0 vote. Mayor Adler was off the dais.
22. Authorize award, negotiation, and execution of a contract with MERCURY ASSOCIATES, INC. to provide analysis of the Fleet Services Department fuel support program in an amount not to exceed \$187,737. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award, negotiation and execution of a contract with Mercury Associates, Inc. was approved on Council Member Casar's motion, Council Member Renteria's second on a 9-1 vote. Council Member Zimmerman voted nay. Mayor Adler was off the dais.
26. Authorize execution of an interlocal agreement with the NATIONAL JOINT POWERS ALLIANCE, a public corporation and agency, to allow the City to participate in this agency's cooperative purchasing program to purchase various types of goods and services. Related to Item #27. (Notes: This contract is exempt from City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program as specified in Texas Government Code Chapter 252.022.)
There was a motion made by Council Member Gallo and seconded by Council Member Zimmerman to refer to Council committee. The motion was later withdrawn by the maker of the motion.

The motion authorizing execution of an interlocal agreement with the National Joint Powers Alliance was approved on Council Member Renteria's motion, Council Member Gallo's second on an 11-0 vote.

27. Authorize award and execution of a 43-month contract through the National Joint Powers Alliance with W. W. GRAINGER, INC., to purchase industrial supplies, equipment, tools, and services in an amount not to exceed \$16,500,000, with one 12-month extension option in an amount not to exceed \$4,500,000, for a total contract amount not to exceed \$21,000,000. Related to Item #26. (Notes: This cooperative contract will be awarded in compliance with City Code Chapter 2-9D Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

There was a motion made by Council Member Renteria and seconded by Mayor Pro Tem Tovo to authorize the award and execution of a contract through the National Joint Powers Alliance with W.W. Grainger, Inc.

There was a motion made by Council Member Zimmerman and seconded by Council Member Kitchen to refer to Council committee. This motion was later withdrawn by the maker of the motion.

The motion authorizing the award and execution of a contract through the National Joint Powers Alliance with W.W. Grainger, Inc. was approved on Council Member Renteria’s motion, Mayor Pro Tem Tovo’s second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston abstained.

34. Approve an ordinance appointing an acting Municipal Court Clerk and setting compensation and benefits. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Don Zimmerman CO 2: Council Member Gregorio Casar CO 3: Council Member Ora Houston)

There was a motion made by Council Member Zimmerman and seconded by Council Member Houston to approve the ordinance with a salary of \$120,000.

There was an amendment made by Council Member Casar and seconded by Mayor Pro Tem Tovo to approve Ordinance No. 20150326-034 with a salary of \$125,679. The amendment was approved on an 11-0 vote and to send to Committee to discuss the ten percent structure

EMINENT DOMAIN

Items 39 through 42 were taken on a combined motion. This vote applies to all units of property Items 39 through 42 to be condemned.

39. Approve a resolution authorizing the filing of eminent domain proceedings for the Springdale/290 Improvements Project for approximately 1,676 square feet of land for a permanent waterline easement and approximately 3,089 square feet of land for a temporary working space easement, all being out of Lot 1, Chimneyhill P.U.D. Fourth Installment, a subdivision of record in Book 70, Page 7 of the Plat Records of Travis County, Texas, conveyed to Wayne Allen Barbee by Warranty Deed recorded in Document No. 2001170817 of the Official Public Records of Travis County, Texas, in the total amount of \$449. The owner of the needed property interests is Wayne Allen Barbee. The property is a vacant lot located entirely in District 1, off US 290 East, between Springdale Road and Chimney Hill Boulevard, in the City of Austin, Travis County, Texas. The general route covered by this project includes the Chimney Hill Subdivision and the Walnut Trace Subdivision on either side of Springdale Road, in Austin, Travis County, Texas.

Resolution No. 20150326-039 was approved on Council Member Houston’s motion, Council Member Pool’s second on an 8-0 vote. Council Member Zimmerman abstained. Mayor Pro Tem Tovo and Council Member Pool were off the dais.

40. Approve a resolution authorizing the filing of eminent domain proceedings for the Springdale/290 Improvements Project for approximately 4,814 square feet of land for a permanent waterline easement, situated in the Howell T. Davis Survey No. 30, Abstract No. 214 in Travis County, Texas, out of a called

1.796 acre tract of land conveyed to Jimmy Nassour, Trustee, by Warranty Deed recorded in Document No. 2010046853 of the Official Public Records of Travis County, Texas, in the total amount of \$539. The owner of the needed property interests is Jimmy Nassour, Trustee. The property is a vacant lot located entirely in District 1, off US 290 East, between Springdale Road and Chimney Hill Boulevard, in the City of Austin, Travis County, Texas. The general route covered by this project includes the Chimney Hill Subdivision and the Walnut Trace Subdivision on either side of Springdale Road, in Austin, Travis County, Texas.

Resolution No. 20150326-040 was approved on Council Member Gallo's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler recused himself. Council Member Zimmerman abstained.

41. Approve a resolution authorizing the filing of eminent domain proceedings for the University Hills Branch Library Parking Lot Expansion Project for approximately 22,147 square feet of land for a public parking lot, out of Lot 1A, The Bluffs of University Hills, Resubdivision of Lots 1 and 2, Block A, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 84, Page 43D, Plat Records of Travis County, Texas, conveyed to SAFA Trading Establishment, Inc. by Special Warranty Deed recorded in Volume 12932, Page 1629 of the Real Property Records of Travis County, Texas, in the amount of \$155,000. The owner of the needed property interests is SAFA TRADING ESTABLISHMENT, INC. The property is located entirely in District 1, at 4601 Loyola Lane, in Austin, Travis County, Texas 78723. The general route covered by this project includes the University Hills Branch Library area, located on a portion of Loyola Lane, between Manor Road and Ed Bluestein Boulevard (United States Highway 183).

There was a motion made by Council Member Pool and seconded by Council Member Houston to approve the resolution.

There was an amendment made by Council Member Zimmerman and seconded by Council Member Houston to postpone this item to April 2, 2015. The amendment passed on a vote of 11-0.

42. Approve a resolution authorizing the filing of eminent domain proceedings for the Waters Park Relief Main Project for approximately 6,996 square feet of land for a permanent wastewater line easement and approximately 1,029 square feet of land for a temporary working space easement, both being tracts of land in the James Rogers Survey No. 19, Abstract No. 659, Travis County, Texas, a portion of a called 28.69-acre tract of land, having been conveyed to George J. Shia by Correction Special Warranty Deed, recorded August 25, 1993, in Volume 12007, Page 181 of the Real Property Records of Travis County, Texas, in the total amount of \$3,124. The owner of the needed property interests is George J. Shia. The property is vacant, un-developed land located entirely in District 7, along the southwest line of Adelphi Lane, northwest of Waters Park Road, in the City of Austin, Travis County, Texas. The general route covered by this project includes Adelphi Lane along Scribe Drive and Leaf Lane near MoPac in the Walnut Crossing Subdivision, in Austin, Travis County, Texas 78759.

There was a motion made by Council Member Zimmerman and seconded by Council Member Troxclair to postpone this item to April 2, 2015 with Executive Session review on March 31, 2015. The motion failed on an 1-10 vote. Council Member Zimmerman voted aye.

Resolution No. 20150326-042 was approved on Council Member Pool's motion, Council Member Renteria's second on a 9-0 vote. Mayor Adler recused himself. Council Member Zimmerman abstained.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

43. Discuss personnel matters related to the appointment of an interim Municipal Court Clerk and related compensation and benefits (Personnel Exception - 551.074 of the Government Code).
This item was withdrawn.
44. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
45. Discuss legal issues related to Sanchez et al v. City of Austin, Cause No. A-11-CV-993-LY, in the United States District Court Western District of Texas (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).
This item was withdrawn.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate action occurred on any of the items.

46. C14-2014-0038 - The Hopper - (District 7) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 801 West Wells Branch Parkway (Harris Branch Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning to single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1 and rural residence-conditional overlay (RR-CO) combining district zoning for Tract 2. First Reading approved on August 7, 2014. Vote: 7-0. Owner/Applicant: Sealy & Company (Michael Sealy). Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.
Ordinance No. 20150326-046 for single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1 and rural residence-conditional overlay (RR-CO) combining district zoning for Tract 2 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
47. C14-2014-0037 - The Sealy - (District 7) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 801 West Wells Branch Parkway (Harris Branch Watershed) from industrial park-conditional overlay (IP-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Sealy & Company (Michael Sealy). Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150326-047 for community commercial (GR) district zoning was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
48. C14-2014-0171 - MLK Rezone - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2927 E. Martin Luther King, Jr. Blvd. (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Planning Commission Recommendation: To grant urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Owner: Amos413 Ventures, LLC (Jonathan Klaus). Agent: Perales Engineering (Jerome Perales). City Staff: Heather Chaffin, 512-974-2122.
This item was postponed on consent to April 16, 2015 at the staff's request on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

- 51. C14-2015-0007 - Alice Mae Rezoning - (District 5) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9500 Alice Mae Lane (Slaughter Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: SP Meadows West, Ltd. (David Roche). Agent: Armbrust & Brown, LLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on consent on Council Member Pool’s motion, Council Member Renteria’s second on an 11-0 vote.

ZONING DISCUSSION ITEMS

- 49. C14-2014-0182 - Moore's Crossing 7.9 Acre Rezone - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7400 McAngus Road (Dry Creek East Watershed) from community commercial (GR) district zoning to single family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single family residence-small lot (SF-4A) district zoning. Planning Commission Recommendation: To grant single family residence-small lot (SF-4A) district zoning. Owner/Applicant: SR Development, Inc. (Bill Gurasich). Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150326-049 for single family residence-small lot (SF-4A) district zoning was approved on Council Member Renteria’s motion, Council Member Zimmerman’s second on an 11-0 vote.
- 50. C14-2014-0187 - Moore's Crossing 1.5 Acre Rezone - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7012 Elroy Road (Dry Creek East Watershed) from single family residence-standard lot (SF-2) district zoning, community commercial (GR) district zoning, and community commercial-conditional overlay (GR-CO) combining district zoning to multi-family residence-low density (MF-2) district zoning. Staff Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Owner/Applicant: SR Development, Inc. (Bill Gurasich). Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero). City Staff: Wendy Rhoades, 512-974-7719.
The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150326-050 for multi-family residence-low density (MF-2) district zoning was approved on Council Member Garza’s motion, Council Member Zimmerman’s second on an 11-0 vote.

Mayor Adler adjourned the meeting at 5:08 p.m. without objection.

LIVE MUSIC

Carson McHone

PROCLAMATIONS

Distinguished Service Awards - Retirement - Olga Delgado and Cheryl Bonhomme, Municipal Court -- to be presented by Mayor Steve Adler and to be accepted by the honorees

Proclamation -- Austin Safe Digging Month -- to be presented by Mayor Steve Adler and to be accepted by Representatives of Texas 811

Proclamation -- Drop Everything and Read Texas Day -- to be presented by Mayor Steve Adler and to be accepted by Alan Bourgeois

Proclamation -- Austin Fashion Week -- to be presented by Council Member Sheri Gallo and to be accepted by Matt Swinney and AFW representatives

Proclamation -- Austin Named among Top 10 Cities for Wildlife -- to be presented by Council Member Leslie Pool and to be accepted by Marya Fowler and Susan Kaderka

Proclamation -- Million Mile Month -- to be presented by Mayor Pro Tem Kathie Tovo and to be accepted by Steve Amos

The minutes were approved on this the 2nd day of April, 2015 on Council Member Zimmerman's motion, Council Member Houston's second on an 11-0 vote.